

35 U.S.C § 103

Examiner stated that:

Claims 30-35, 38-41 and 43-47 are rejected under 35 U.S.C. 103(a) as being obvious over Gruteser et al (6,870,477) in view of Cooper (4,779,922). With respect to claim 30, Gruteser et al, discloses a member (100) selected from the group of member consisting of a chair member, a bed member and a lounge member, said member having moving parts (unlabelled), in the form of a seat or back that is deformable (column 6, line 20), and a controller (240) for said moving parts which outputs information from said member concerning directions for the operation of said controller for the moving parts including information output circuitry (130) and energy converter, either in the form of “solar cells” (column 5, line 17) or wheels (105) “used to generate electricity” (column 5, line 29) which converts energy to which the member is exposed (i.e. solar energy or kinetic energy) to electrical energy for powering said information output circuitry wherein said information output circuitry outputs information to an occupant of the member, given that the controller (240) may include a PC having “a user interface including input devices and displays which be used **by the occupant of the chair** to make manual adjustments to environmental parameters and which may also convey information **to the occupant** about the status or results of information carrying signals sent from or received by the chair systems” (column 6, lines 7-12), regarding directions for the operation of the controller for the moving parts without producing movement of the parts.

In particular, Examiner has pointed to the controller (240) of Gruteser. Gruteser states that such information is received by a computing system (240) which issues instructions to effectors (210) (see column 5, lines 47-50).

Applicant on the other hand, utilizes physically movement controls as particularized on page 3, line 32-36 namely:

Chair 1 has a plurality of chair movement controls generally indicated at 11. These controls are provided with sensors 13. Activation of the sensors produce audible directions for use of the controls through series of voice chips generally indicated at 15.

Accordingly, Agent for Applicant respectfully states that none of the prior art teaches:

Physical movement controls which provide movement of the movable parts without producing movement of the parts.

Moreover, Examiner states that:

With respect to claim 31, said energy converter comprises a solar panel (column 5, line 17) on an exposed surface of said member.

With respect to claims 32, said information output circuitry (130) is further linked to a biorhythm sensor (column 3, lines 21-27) (110)

With respect to claim 33, a digital display, in the form of a PC with an input device and display (column 6, lines 4-7) also powered by said one or more energy converts (given that the digital display is part of the chair system (215)) and displaying information from said biorhythm sensor.

With respect to claim 34, said member (100) comprises a chair and said energy converted converts motion of a moveable portion of the chair (i.e. forward and backward motion of the chair back (column 5, lines 23-25) or rotational motion of the wheels (105)) to electrical energy.

Agent for Applicant respectfully states that none of the prior art teach the invention as particularized by the amended claims.

Examiner further stated that:

Gruteser discloses a member (100) selected from the group of member consisting of a chair member, and bed member and a lounge member, said member (100) including an information output device (130) (140) (145) (240) which outputs information from said member, an energy converter with converts energy to which the member is exposed to electrical energy for powering said information output device (130) (140) (145) (240), wherein the said information output device (130) (140) (145) (240) comprises a control (240) for a moveable part (i.e. a vibrator (column 6, line 23)) of said member, said control (240) outputting information to an occupant of the member, in the form of a

signal, regarding functions of said control with out producing movements of the chair (column 6, lines 7-12). The effectors (210) actually produce movement of the chair.

A visual display, in the form of a PC, is also powered by said energy converter, said visual display displaying the directions for use of the control (210).

With respect to claim 38, an electrical rechargeable power pack (212) is charged by said energy converter, said power pack storing the electrical energy and dispersing the electrical energy required.

With respect to claim 39, said member (100) comprises a chair having rolling casters (105) for generating said electrical energy.

Agent for Applicant respectfully states that none of the prior art teach the invention as disclosed by the amended claims.

Claims 40, 41, 42, and 44 are dependant claims and accordingly Applicant incorporates by reference the comments referred to in the previous independent claims.

Moreover, Examiner stated that with respect to claim 45:

A chair (100) having electrical power requirements for displaying information to an occupant of the chair regarding the operation of a plurality of controls for moving a plurality of parts respectively of the chair without producing movement of said parts comprising: an energy converter means (i.e. in the form of solar cells or rolling casters (105)) carried by said chair for: providing power to said controls to move the parts of the chair respectively and to display said information to the occupant regarding directions for the operations of the controls, without affecting movement of said parts, to inform the occupant to use the controls to move such parts of the chair respectively providing power to said display for displaying information regarding the directions for operation of said controls without producing movements of said parts respectively. The devices, sensors, wireless communication devices all require electrical energy as recited in column 4, lines 55-58. The on board energy converters are used to provide this energy.

Gruteser discloses a PC as a control which has a user interface including input devices and displays which may be used by the occupant of the seat. While the PC must be located in proximity to the chair to be utilized by the seat occupant, it is not inherently mounted on the chair as claimed by applicant.

Cooper teaches a workstation system with a PC mounted directly on the seating unit.

It would have been obvious to one of the ordinary skill of the art at the time the instant invention was made to mount the PC or controls, as disclosed by Gruteser, on the chair as taught by Cooper. Such modification would ensure that the control is within easy.

Agent for Applicant respectfully submits that none of the prior art teach a physical movement control as incorporated in the amended claims.

Furthermore, Examiner stated that with respect to claims 36 and 37 such claims are:

Rejected under 35 U.S.C. (103) (a) as being unpatentable over Gruteser in view of Cooper in further view of Sparks. Sparks disclosed above, Gruteser disclosed all claimed elements except the provision of studio feedback from the control.

Sparks teaches the use of studio feedback, output from speaker element (10), triggered by control unit (34) (36) (38) (40). It would have been obvious to one of ordinary skill in the art at the time of the instant invention to incorporate a sound signalling system into the chair (100) disclosed by Gruteser. Such a modification would enable people located in the vicinity of the seat to become aware of a situation regarding the seat occupant.

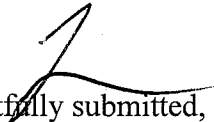
Agent for Applicant respectfully submits none of the prior art teach:

A member selected from the group of members consisting of a chair member, a bed member and a lounge member, said member having moving parts, and physical movement controls mounted on said member and which physical movement controls provide movement of said moveable parts; information output circuitry which outputs information from said member concerning directions for the operation of said physical movement controls for the moving parts and an energy converter which converts energy to which the member is exposed to electrical energy for powering said information output

circuitry, wherein said information output circuitry outputs information to an occupant of the member regarding the directions for the operation of the physical movement controls for the moving parts without producing movement of the parts.

CONCLUSION

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.


Respectfully submitted,

Agent for Applicant
Eugene J. A. Gierczak
(Registration NO. 31,690)
MILLER THOMSON LLP
Barristers & Solicitors
Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1011
Toronto, Ontario Canada M5H 3S1
Telephone No. 416.596.2132
Telecopier No. 416.595.8695
EJAG/af